

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 04-12185-RGS
	)	
	)	
\$10,550 IN US CURRENCY,	)	
Defendant.	)	

**UNITED STATES' MOTION FOR ENTRY OF DEFAULT**

The plaintiff, the United States of America, by and through its attorney, Michael J. Sullivan, United States Attorney for the District of Massachusetts, hereby requests that a default be entered in this action, pursuant to Rule 55(a) of the Federal Rules of Civil Procedure against Raquel Arias and all other persons claiming an interest in the defendant property, described herein as: \$10,550 in United States currency, seized on May 28, 2004 at Logan International Airport (the Defendant Currency), for failure to file an answer or otherwise to defend, as provided for in Rule C of the Supplemental Rules for Certain Admiralty and Maritime Claims and 18 U.S.C. §983. The failure to submit a verified claim justifies the entry of default. See United States v. One-Sixth Share Of James J. Bulger In All Present And Future Proceeds of Mass Millions Lottery Ticket No. M246233, 326 F.3d 36, 40-41 (1<sup>st</sup> Cir. 2003) (failure to file a timely verified claim disqualifies putative claimant from participating in civil forfeiture action).

In support of this application, the United States submits the

attached Affidavit.

Respectfully submitted,

UNITED STATES OF AMERICA  
By its attorneys,

MICHAEL J. SULLIVAN  
United States Attorney

By: /s/ Jennifer Hay Zacks  
Jennifer H. Zacks  
Assistant U.S. Attorney  
1 Courthouse Way, Suite 9200  
Boston, MA 02210  
(617) 748-3100

Dated: February 15, 2005

SO ORDERED AND ALLOWED

\_\_\_\_\_  
RICHARD G. STEARNS  
United States District Judge

Date: \_\_\_\_\_

CERTIFICATE OF SERVICE

I, Jennifer H. Zacks, Assistant U.S. Attorney, hereby certify that a true copy of the foregoing Motion for Entry of Default, as well as the Affidavit in Support of Motion for Entry of Default, was served upon Carlos J. Dominguez, Esquire, as counsel for Raquel Arias, Howe and Bainbridge Building, 232 Commercial Street, Boston MA 02109, by first class mail, postage prepaid.

/S/ Jennifer Hay Zacks  
Jennifer H. Zacks  
Assistant U.S. Attorney

